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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,824	04/26/2004	Samir S. Soliman	010124C1	8905
23696	7590	07/15/2004	EXAMINER	
Qualcomm Incorporated Patents Department 5775 Morehouse Drive San Diego, CA 92121-1714			ISSING, GREGORY C	
			ART UNIT	PAPER NUMBER
			3662	

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,824

Applicant(s)

SOLIMAN, SAMIR S.

Examiner

Gregory C. Issing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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1. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date as follows:

This application is claiming the benefit of a prior filed nonprovisional application under 35 U.S.C. 120, 121, or 365(c). Copendency between the current application and the prior application is required. The filing date of the instant application is 9/26/03 while the parent application 10/011,965 was abandoned on 6/27/03.

2. The specification is objected to since the first paragraph makes reference to an application of which the instantly presented application is a continuation. However, the instant application was not filed while the parent application was pending and as such cannot receive the benefit of priority thereof. Therefore, the specification is objected to since such language is not presently true.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Parasnis et al.
5. Parasnis et al disclose a user-adapted, position-dependent, mobile information service where the information provided to the user is uniquely adapted to both the user's position and according to specific wishes regarding the content of information. Figure 2 shows a client (21) wirelessly coupled to a server (2) which server is coupled to a plurality of databases (22), (23), and (26) via communication links.
6. Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Phelan.
7. Phelan discloses a computer system for identifying local resources wherein a client information request is transmitted to a server, subsequently followed by a map request wherein the

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map request is formulated on the basis of the information data. As the map/information data is provided on the basis of the client's monitored position and criteria, the claimed steps are shown.

8. Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujiwara et al.

9. Fujiwara et al disclose the claimed method and system for managing information as shown in Figures 6 and 7 and described substantially in the claim 18 embodiment thereof.

10. Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Hollenberg.

11. Hollenberg disclose the claimed method and system for managing information to/from a plurality of mobile users using a communication network. See Figures 13/14 and col. 23, line 11 – col. 24, line 63, for the applicable steps. Included are update options/filters from the user which meet the revisable user criteria.

12. Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Kinnunen et al.

13. Kinnunen et al disclose a method and system for tracking location of mobile users, see Figure 2 and claim 1, for providing and managing location dependent services including a plurality of mobile users (terminal side) having user profiles that are compiled at a network side (claim 14) and a comparison of the user profile and service profiles to determine whether provision of service is permitted (claim 15), and downloading of applications in order to provide certain services (claim 16), all of which are position dependent.

14. Claims 1-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson.

15. Johnson discloses the claimed method and system for managing information between a network and a plurality of mobile users in a communication network including the use of user criteria and situational location data to cause delivery of information. Figures 7A and 7B are descriptive of the revisable user profiles that are used to provide situational delivery of information.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following prior art references, which could equivalently be used to substantially show anticipation; each disclose a mobile user and a server wherein the server receives and stores user-

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specific criteria and positional information, accesses one or a plurality of databases, compares the user-specific criteria and location information to the at least one database, determines if the user-specific criteria and location information is met by content in the at least one database, and provides the content via a transmission to the mobile user for use thereat in receiving information in the form of, for example, advertisements, services, navigation/map information, emergency aid, communication with other mobile users, etc. The positioning methods include typically triangulation using TDOA, AOA, SS, GPS, etc. The communication links include conventional cellular, terrestrially-based or satellite-based. The mobile user device is suggested as an integrated cell phone/ GPS receivers, a laptop computer, a PDA, an in-vehicle device, etc. Specifically, the prior art references are the following.

Chang et al disclose user profiles and seller profiles such that when the profiles include indicia that match therebetween, i.e. a category and condition, a message is transmitted to the user.

Moore et al disclose a method and system for managing information in a wireless communication system, see claim 1, for receiving and storing a user profile, determining the location of the user, generating information and services that match the user profile and custom-tailored to the location, and sending out the information and services to the mobile user.

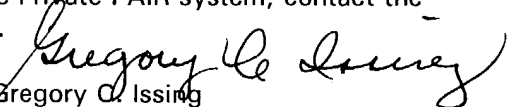
Ashmore, see Figures 1 and 4, wherein the marker is the user-specified criteria, col. 3-col. 6, describe the mobile device, context server, and content server/database, wireless communication links, and location technologies.

Fraccaroli see Figures 1 and 2 including contact between mobile users using a communication network. See also, the embodiments described specifically by claims 18-49.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory C. Issing whose telephone number is 703-306-4156. The examiner can normally be reached on Monday - Thursday 6:00 AM- 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on 703-306-4171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gregory C. Issing
Primary Examiner
Art Unit 3662

gci

7/6/04